



U.S. DEPARTMENT of STATE

Lithuania

International Religious Freedom Report 2005

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The Constitution establishes the right to freedom of religion except where religious observance would violate the Constitution or national law, and the Government generally respects this right in practice. There is no state religion. Some religious groups enjoy government benefits not available to others. Nontraditional religious groups face some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continues to contribute to the generally free practice of religion.

The generally amicable relations among religions in society contributed to religious freedom, although members of religious minorities occasionally are subject to acts of intolerance. The media reported instances of anti-Semitic acts, statements, and events, including the founding of a nationalist political party with overt anti-Semitic policies. The political leadership of the country publicly criticized anti-Semitic statements when they occurred.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights and tolerance and in discussions on the country's strategy for addressing its Holocaust legacy.

Section I. Religious Demography

The country has an area of 25,174 square miles and its population is approximately 3.4 million. In May 2005, there were 675 Roman Catholic parishes. Some 140,000 adherents of the Eastern Orthodox Church constituted the country's second largest religious group, with 52 communities mainly along the border with Belarus. The Old Believers, numbering 27,000, have 60 registered religious communities. The estimated 20,000 Lutherans had 58 communities, primarily in the southwest. The two branches of the Evangelical Reformed community had approximately 7,000 members in 17 communities. The six Sunni Muslim communities counted approximately 2,700 members, while the Greek Catholic community had approximately 300 members. The Jewish community numbered approximately 4,000. The majority of local Jews are secular, and only about 1,200 belonged to one of the seven religious communities.

The Chabad Lubavich, a Hassidic Jewish group, operates a school (kindergarten through 12th grade), a social center, and a kosher kitchen in the capital of Vilnius.

The Karaites have been in the country since 1397. Karaites, while not unique to the country, exist in few other locations in the world. Karaites speak a Turkic-based language and use the Hebrew alphabet. Some consider Karaite to be a branch of Judaism; the religion is based exclusively on the Old Testament. The Government recognizes the Karaites as a distinct ethnic group. Two houses of worship, one in Vilnius and one in nearby Trakai, serve the Karaite religious community of approximately 250 members. Their only religious leader is also their community president.

Roman Catholicism, the dominant faith in Lithuania prior to Soviet era, survived the years of occupation and remains both dominant and influential. According to the 2001 census, approximately 79 percent of the inhabitants considered themselves to be Roman Catholics. An estimated 9.4 percent of the population did not identify with any religious denomination. According to 1998 research data, approximately one-third of the country's Roman Catholics attended church services at least once a month. Data on religious participation for members of other faiths were not available.

Approximately 0.23 percent of the population belonged to what the Government refers to as "nontraditional" religious communities. The most numerous are the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Jehovah's Witnesses, Baptists, Seventh-day Adventists, and the New Apostolic Church. According to the Ministry of Justice, a total of 1,046 traditional and 172 nontraditional religious associations, centers, and communities have officially registered with the State Register of Legal Entities.

Foreign missionary groups, including Baptists, the Church of Jesus Christ of Latter-day Saints (Mormons), and Jehovah's

Witnesses are active in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for the right to religious freedom, and the Government generally respects this right in practice.

The Constitution provides that a person's freedom to profess and propagate his or her religion or faith "may be subject only to those limitations prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, a person's health or morals, or the fundamental rights and freedoms of others." It is unlawful to make use of the religious teachings of churches and other religious organizations, their religious activities, and their houses of prayer for purposes that contradict the Constitution or the law. The Government has never had occasion to implement this law. The Government may also temporarily restrict freedom of expression of religious conviction during a period of martial law or a state of emergency. There is no state religion; however, under the 1995 Law on Religious Communities and Associations, some religious groups enjoy government benefits not available to others, including government financing, the right to teach religion in public schools, and the right to register marriages.

The Constitution classifies religious communities into state-recognized traditional groups and others. In practice, however, a four-tiered system exists: traditional, state-recognized, registered, and unregistered communities.

The law grants property rights for prayer houses, homes, and other buildings to religious communities, associations, and centers, and permits construction of facilities necessary for their activities. A 2003 change in the law enables all registered religious groups to own property.

In the absence of any legal definitions, government authorities arbitrarily acknowledge as traditional only those religions that can trace their presence in the country back at least 300 years.

The law specifies nine traditional religious communities: Latin Rite Catholics, Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Church, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.

Traditional religious communities and associations may register marriages, may establish subsidiary institutions, are eligible to receive government assistance, may establish joint private/public schools, and have the right to provide religious instruction in the public schools. Their highest religious leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may have military chaplains. The Ministry of Justice does not require traditional religious communities and associations to register their bylaws. Traditional religious communities do not have to pay social and health insurance for clergy and other employees, and they are not subject to a value-added tax (VAT) on basic utilities, such as electricity, telephone, and heat.

The law stipulates that the Government may officially recognize nontraditional religious communities that have societal support and have been registered in the country for at least 25 years. Nontraditional religious communities must apply to the Ministry of Justice and provide a description of their religious teachings and their aims and a founding statement signed by no fewer than 15 members who are adult citizens of the country. The Ministry must review the documents within 6 months.

While only traditional religious communities receive annual state subsidies, nontraditional groups are eligible for government support for their cultural and social projects.

The Baptists are currently the only state-recognized religion. They do not receive annual subsidies, tax exemptions, or exemptions from military service enjoyed by traditional communities. In practice, state-recognized religions receive some additional privileges from the Government, but not to the extent that traditional religious groups do. They are entitled to perform marriages and do not have to pay social and health insurance for clergy and other employers.

Registered religious communities can act as legal entities and thus may rent or own land for religious buildings. They do not receive regular subsidies, tax exemptions, social benefits, or exemptions from military enjoyed by traditional communities.

Communities must register to obtain official status, a requisite for opening a bank account, owning property, or acting in a legal or official capacity as a community.

Unregistered communities have no legal status or state privileges. There were no reports that the Government prevented any such groups from worshiping or seeking members.

For the third consecutive year, Parliament deferred granting "state-recognized religion" status to the United Methodist Church of Lithuania, although the Government stated that no one had contested the Methodists' petition for status change. The Pentecostals applied for state-recognized status in late 2004, and their application was pending Parliament consideration. The

Ministry of Justice was evaluating the Seventh-day Adventists' application to change their status to state-recognized. At the end of the period covered by the report, no decision had been reached.

No separate government agency addresses the concerns of religious groups. A small department in the Ministry of Justice adjudicates requests of religious groups for registration. The Prime Minister's advisor for Cultural and Jewish Affairs follows relevant issues within the Jewish community.

In 2000, the Government and the Holy See agreed to establish a military Ordinariat to provide religious support to Roman Catholic members of the military service by means of military chaplains. In 2002, the Ministry of Defense and the Catholic Church signed a regulation on military chaplains' activities. There were 16 chaplains as of May 2005. The Ministry of Defense provides material support for the Ordinariat and its places of worship. Other traditional churches and religious groups also provide religious support to the military services.

Conscientious objectors may petition for alternative military service within military structures, but there is no option for alternative nonmilitary service, despite requests by members of Jehovah's Witnesses. Persons enrolled in alternative military service must follow military regulations and reside on military installations. They receive assignments to work in nonviolent military roles, such as grounds maintenance, or can work as unskilled laborers in government health or social care institutions.

In August 2000, three agreements between the Government and the Holy See took effect: "On Cooperation in the Sphere of Education and Culture," "On Spiritual Guidance of Catholics Serving in the Military," and "On Legal Aspects of Relations Between the Catholic Church and the Government." The last of these agreements specified that the Government would fully fund private Roman Catholic schools. The number of wholly private religious schools in Lithuania is relatively low per capita. More often, the Government and religious groups establish private-public schools in partnership. In 2001, to avoid discrimination, the Government agreed to fund all private religious schools through a voucher system. Five private Catholic schools in the capital city protested that the municipality's voucher payments were insufficient to meet the cost of necessary capital repairs. The Government, invoking the 2000 agreements as a justification, agreed in August 2004 to provide annual supplemental funding for the five schools, and allocated \$185,000 (500,000 litas) for the first year. The Government did not offer supplemental funds to other private Catholic and non-Catholic schools.

The last of these agreements established Assumption Day (August 15) as a national holiday, in addition to the previously established holidays of St. Mary's celebration (January 1), Easter Monday, All Saints' Day (November 1), Christmas, and Boxing Day (December 26). The list of holidays can change by agreement of both sides. There were no reports of formal complaints that these agreements adversely affect religious freedom for the adherents of other religions.

Restrictions on Religious Freedom

Parliament in 2004 returned to the Government for revision a proposal to amend the Law on Religious Communities and Associations, which the Catholic Church had initiated in 2002. The amendments would have codified into law the de facto tiered system of classifying religious groups, enshrining discriminatory treatment of different religious communities.

The Ministry of Justice's Religious Affairs Department remains responsible for processing initial registration applications, but in January 2004 the new State Register of Legal Entities, under the national Registry Center, assumed management of the database of registered religious communities. Religious communities, formerly able to register only in the capital, can now file applications at local registration centers throughout the country. Registration centers forward new applications to the Religious Affairs Department and process renewal registrations locally. New communities affiliated with traditional religions register for free, while nontraditional communities pay a registration fee of \$32 (105 litas).

Since 1995, the Ministry of Justice has turned down two applications, those of the Osho Ojas Meditation Center and the Lithuanian Pagans Community (Old Sorcerers). In February 2005, the Government issued a registration permit to the Osho Ojas Meditation Center following the center's successful appeal of the Ministry's two previous denials.

In 2002, following objections of the Catholic Church, Parliament suspended the status as a traditional community of a pagan group, the Old Baltic Faith Community Romuva.

The Government does not restrict operations of foreign missionary groups within the country but continues to accord preferential treatment to the nine traditional religions.

The Constitution establishes that public educational institutions are secular. However, in February 2003, the Vice Minister of Education admitted in a public interview that, by agreement with the Holy See, Catholic priests have the final say in hiring teachers of religion in public schools. The law permits religious instruction only of traditional and state-recognized faiths in public schools. In practice, parents can choose either religious instruction or secular ethics classes for their children.

The law requires the Government to finance religion classes (of traditional faiths only) in public schools. Since 2001, amendments to the Law on Religious Communities and Associations have required the Government to fund religious schools of traditional religious communities. The Government's Department of European Law criticized the amendments for allowing

discriminatory treatment of nontraditional religious communities and associations. The Department argued that the Government's right to assign different legal statuses to religious communities did not authorize it to provide different rights and privileges. The Government subsequently amended the law, creating a system of vouchers that families could use to send their children to schools of traditional or nontraditional religious communities.

Following the restoration of the country's independence, the Government began the process of returning to religious communities' property that Nazi and Soviet occupations had destroyed and confiscated. The law grants all religious communities equal opportunity to reacquire control of property they once used for religious services. The Roman Catholic community has been more successful in regaining its property than many other religious communities. The Government returned some religious properties, including 28 synagogues, to the Jewish community, mostly between 1993 and 1996. The Government successfully resolved a number of claims for restitution; others were still pending. Lack of funds for compensation is the primary impediment to the return of private property. The Government has taken no action to restitute property of religious institutions that no longer exist, and it has no plans to do so.

In early 2002, the Government established a commission on communal property restitution. The commission's task was to identify communal property eligible for restitution and to propose amendments to the law, enabling the secular Jewish community to benefit from the restitution process. In 2003, the Lithuanian Jewish Community and the World Jewish Property Restitution Organization submitted to the Government a list of former Jewish communal properties they claimed for restitution. The Government allocated \$38,000 (110,000 litas) for archival research to verify the lists. In 2004 and again in February 2005, the Jewish Community of Lithuania submitted expanded lists of claims to properties throughout the country. The Government expected to complete verification of the claims by September 2005, at which point they would submit to the Parliament amendments to the property restitution law to allow the restitution process to move forward.

An interministerial commission coordinates investigations of religious, esoteric, and spiritual groups. It seeks to ensure that activities of religious groups are in line with the principles of a democratic society, human rights, and fundamental freedoms. The Minister of Justice appoints the chairperson of the commission, which also comprises representatives of the Ministries of Justice, Interior, Education, Health, and Foreign Affairs, the General Prosecutor's office, and the State Security Department. The Government established the commission following some parliamentarians' calls for increased control of "sects." In 2003, the commission investigated the conditions under which religious, esoteric, and spiritual groups may spread their faith via educational institutions. In particular, the commission looked at how many groups were renting premises from public educational institutions. The commission also investigated the alleged involvement of Satanists in the desecration of cemeteries. In 2004, the Commission began an investigation of both "magic and the occult on television" and offers of "magical services" by, for example, psychics and astrologers. In May 2005, the local Council of Bishops also raised their concern about "shamanism," objecting also to the municipal government's funding of public "tai chi" classes in the capital.

In June 2003, a Member of Parliament resubmitted draft legislation "On Barring the Activities of Sects" that he had previously introduced in 2001. Parliament's Legal Department criticized the draft and Parliament did not consider this legislation.

In March 2004, Parliament established a Working Group on Issues of Spiritual and Religious Groups in response to complaints from persons whose relatives religious "sects" had allegedly harmed. The group reviewed legislation regulating activities of religious groups and aired plans to introduce tougher registration requirements. Following parliamentary debates on "destructive sects and cults," terms which encompass both recognized and unrecognized religious groups, Parliament gave initial approval in June 2004 to amend the Criminal Code and Administrative Code. The changes to the Criminal Code introduced fines and imprisonment of up to 3 years for religious groups, communities, and centers that use psychological violence to persuade a person or his/her relative to take illegal action or prevent him/her from pursuing legal action. Parliament rejected amendments to the Administrative Code that would have set fines for individuals seeking to pursue religious goals in violation of society's security and public order or in violation of the health, morals, and rights of individuals.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reports of abuses targeting specific religions by terrorist organizations.

Improvements in Respect for Religious Freedom

In September 2004, the President awarded the Life Saving Cross to 55 persons who worked to save Jews during the Holocaust. He commended their selflessness and recognized the substantial number of people who perished during the Holocaust.

The Government continued its efforts to support post-World War II restitution efforts. In February 2005, the Government reiterated its commitment to Jewish property restitution during meetings with the Jewish Community. In 2003, the Government

returned 46 Torah scrolls to an Israeli spiritual and heritage group for distribution among Jewish congregations worldwide. The Government has not returned the few remaining Torahs at the National Museum. In November 2004, the Vilnius city government participated in erecting a monument at the site of the former Jewish cemetery.

Following a Klaipeda district court ruling overturning fines and 1-year jail-sentences for two members of Jehovah's Witnesses, the Government organized a working group to explore the possibility of introducing alternative service in nonmilitary structures for conscientious objectors. The working group found that 23 of the 25 recent conscientious objectors accepted service in noncombatant military positions. Rather than create a separate program of alternative nonmilitary service for the few conscientious objectors, the Government decided to waive their military service obligation.

Since early 2004, the Ministry of Justice had delayed registration of a Unification Church community in response to parental protests and the objections of a self-proclaimed "anti-cult" group. After reviewing the evidence against the Church, the Ministry determined that the protesters' claims of abuse on the part of the Unification Church in Lithuania were baseless and issued the registration permit in January 2005.

Section III. Societal Attitudes

The generally amicable relations among various religious communities in society contributed to religious freedom, although members of religious minorities occasionally are targets of acts of intolerance, such as insults.

Disputing factions within some religious communities, for example within evangelical, Old Believer, and Jewish communities, periodically appealed to official authorities and courts to limit the activities of their rivals, sometimes by opposing a certain faction's registration as a religious community. The Government attempted not to involve itself in internal disputes of religious communities. In April and June 2003, however, Vilnius administrative courts ruled to create separate new Old Believer communities in response to a conflict within the Old Believer community. In May 2004, the Jewish community temporarily closed the Vilnius synagogue following a disorderly dispute in the synagogue between members of the Orthodox and the Chabad Lubavich Jewish groups. The community closed the synagogue again in August 2004, following another disturbance. The Government charged the leader of the Chabad Lubavich community with assault and trespassing in the second occurrence, but subsequently dropped the charges. The synagogue remained closed pending resolution of the community's internal disputes.

Activities of some nontraditional religions raised concerns within segments of society. Since 2003, for example, some parents had opposed their children's membership in the Unification Church and protested the registration of a second Unification Church community. (The first community registered in 1993.) The Ministry approved the registration in January 2005.

An estimated 10 percent of the pre-World War II population of Lithuania was Jewish. More than 200,000 Jewish persons (approximately 95 percent of the Jewish population of the period) died as victims of the Holocaust. The country is still reconciling itself with its past and working to understand it better. In 1998, President Valdas Adamkus established a historical commission to investigate crimes of both the Holocaust and the subsequent Soviet occupation. The commission has held annual conferences and several seminars, published several reports, and co-sponsored a Holocaust education program.

In the past year, there has been an increase in anti-Semitic remarks by extremist, and a few more mainstream, politicians. The country's Jewish communities are active and publicly express their concerns when anti-Semitic remarks occur. The political leadership of the country and most media outlets generally criticize anti-Semitic statements when they occur.

Parliament commemorated Holocaust Day by publicly acknowledging and apologizing for the killing of Jews and destruction of Jewish culture in the country during World War II. The chairman of the Jewish Community attributed recent public expressions of anti-Semitism to ignorance and the failure of society to recognize the extent of the destruction that occurred there. The Prime Minister attended the commemoration of the 60th anniversary of Holocaust Day in Auschwitz.

Anonymous anti-Semitic comments repeatedly surfaced on the Internet, most notably after the public release of the U.S. State Department's Human Rights Report, which enumerated the anti-Semitic incidents that occurred in the country during the previous year. Anti-Semites responded to the Jewish community's submission of lists of properties for restitution by posting anti-Semitic invective on the internet.

Fringe and anti-Semitic groups gained attention through public anti-Semitic statements. In April 2005, a Siauliai city council member founded a nationalist political party with anti-Semitic policies. A plank of the party's platform is to stop the Jewish communal property restitution process. In June 2005, several politicians and government officials immediately and publicly denounced the politician's statements, and the State Security Department, after an investigation, recommended bringing charges.

In February 2004, the popular national daily "Respublika" carried a series of editorials with obvious anti-Semitic overtones, under the title "Who Rules the World?" The final editorial in the series claimed that the Jews wield power globally. Government officials at the highest levels condemned the publication of the series and the anti-Semitic sentiments therein, but the Jewish community and others criticized the Government for responding too slowly. Local nongovernmental organizations (NGOs) and representatives of other religious groups similarly denounced the anti-Semitic articles. The Prosecutor General's Office and the State Security Department launched pretrial investigations over incitement of ethnic and racial hatred by "Respublika's" editor-in-

chief. In April 2004, Parliament formed a working group to strengthen legislation prohibiting incitement of discord, anti-Semitism, racism, and xenophobia. In January 2005, the Journalism Department fined "Respublika" \$2,200 (6,000 litas) for ethical lapses. In February 2005, the Prosecutor General's Office dropped the investigation, but then quickly resumed it at the urging of the President and senior Government officials. In May 2005, a Vilnius administrative court fined the editor-in-chief of the Russian-language version of "Respublika" \$370 (1,000 litas) for dissemination of a publication that instigates national, racial or religious discord. The court had not rendered a decision on charges against several other parties, including "Respublika's" owner and principal editor.

In May 2005, four to six motorcyclists wearing Nazi-style uniforms and driving Nazi-era motorcycles drove past the Lithuanian Jewish Community headquarters in Vilnius. Members of the community were outside and heard the riders yell Nazi epithets as they drove by. This incident occurred the same day as the opening of the motorcycle season in Lithuania, with over 700 bikers gathering in a nearby park. The mayor immediately asked the police to look into the incident. Police have identified several suspects but have not apprehended anyone. In April 2004, the police launched an investigation into the desecration of a Jewish cemetery in the Kaisiadorys region, and they had not found any of the perpetrators at the end of the period covered by this report. The case remained open.

Section IV. U.S. Government Policy

The U.S. Government discussed religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintained a close and regular dialogue on religious issues with senior officials in the Government, Members of Parliament, and presidential advisors, as well as continual contact with religious leaders. Religious groups used the Embassy as a vehicle to voice their complaints, and the Embassy encouraged religious leaders to share their views on the status of religious freedom and to raise complaints. The Embassy was active in discussing the restitution of Jewish communal property and the restoration of historic religious property with government officials and community leaders in the country. The Embassy also maintained regular contact with U.S. missionary groups.

The Ambassador publicly criticized anti-Semitic statements in the media and encouraged a similar response from the highest officials of the Government. The Embassy also maintained close relations with the Jewish community to monitor the situation.

The Embassy continually engaged government officials at all levels on issues relating to religious freedom. In March 2004, in response to anti-Semitic articles published in the daily newspaper "Respublika," the Ambassador raised his concerns with the Vice-Minister of Foreign Affairs. The Embassy also released several public statements, and the Ambassador gave interviews condemning the articles. Following such criticism from U.S. and European Union diplomatic representatives, high-level government officials stepped up their condemnation of the articles and of anti-Semitism in general. The Foreign Minister and Prime Minister mentioned their concern for the country's international image in their censure of the articles and in calls for a criminal investigation of "Respublika's" editor-in-chief.

The Embassy funded a number of projects with the goal of promoting greater religious tolerance, particularly projects related to building broader understanding of the Holocaust. The Ambassador regularly spoke on tolerance issues and hosted a roundtable focusing on tolerance and Holocaust issues at the American Center in May 2005, attended by high school students and members of the community. The Ambassador also hosted an Iftar to celebrate Ramadan with 20 members of the Muslim community in November 2004. In the summer of 2004, two secondary school teachers participated in a teacher-training initiative in the U.S. that sought to promote and develop Holocaust education.

In April 2005, the Embassy released a public statement condemning anti-Semitism after a politician announced the creation of a nationalist, anti-Semitic political party.

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